

78-01/MEU

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SIXTEEN THIRTEEN MARINE S.A.,

08 CV 1318 (HB)

Plaintiff,

-against-

CONCENTRA A.G.,

Defendant.
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**STIPULATION
DIRECTING RELEASE OF FUNDS
AND DISCONTINUANCE OF
ACTION**

WHEREAS the Plaintiff commenced this action with a filing of a Verified Complaint on February 11, 2008; and

WHEREAS on application of the Plaintiff, Process of Maritime Attachment and Garnishment ("PMAG") was issued pursuant to Supplemental Rule B directing the restraint of property of Defendant up to the amount of \$5,260,000.00; and

WHEREAS on further application of the Plaintiff, Amended PMAG was issued pursuant to Supplemental Rule B directing the restraint of property of Defendant up to the amount of \$4,141,118.32; and

WHEREAS under the original PMAG that was served on several banking institutions, Defendant Concentra's funds in the amount of \$212,170.00 were restrained by non-party garnishee BNP Paribas on February 13, 2008; and

WHEREAS the parties have now agreed to settle their disputes and have signed a Settlement Agreement dated August 21, 2008;

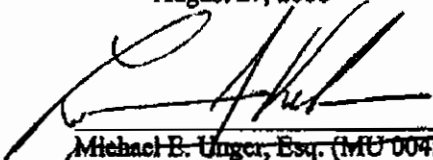
IT IS HEREBY STIPULATED AND AGREED by and between the parties that Defendant's funds restrained at non-party garnishee BNP Paribas be released to Defendant


CONGENTRA pursuant to wire transfer instruction to be provided to the bank by Defendant's undersigned counsel; and

IT IS FURTHER STIPULATED AND AGREED that Defendant requests an Order directing that there be no further attachment of Defendant's restrained funds being released hereunder by any garnishee under any other Ex Parte Order(s) and Process of Maritime Attachment and Garnishment(s) issued pursuant to Supplemental Rule B by this Court to any other claimant against the Defendant, and Plaintiff does not object; and

IT IS FURTHER STIPULATED AND AGREED that this action be discontinued with prejudice and without costs as to either party.

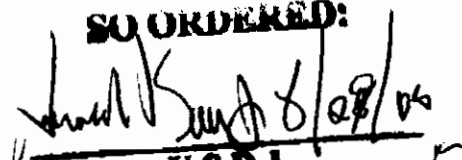
Dated: New York, New York
August 27, 2008


Michael E. Unger, Esq. (MU 0045)
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The Clerk is instructed to close this case & remove it from my docket

SO ORDERED:


U.S.D.J.